

1761 #2
01-20-02
DW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Anders LINDQUIST

Application No.: 09/987,937

Filed: November 16, 2001

For: METHOD AND APPARATUS FOR
PRODUCING A STERILE MILK
PRODUCT



Group Art Unit: 1761

Examiner: Unassigned

INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

RECEIVED
JAN 16 2002
TC 1/00

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$_____ is enclosed for the fee due.

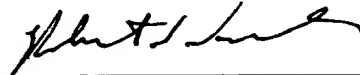
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

By:


Robert S. Swecker
Registration No. 19,885

Date: January 14, 2002

In re Patent Application of

A circular black ink stamp from the Office of Intellectual Property (OIP). The text "OIP" is at the top, "JAN 14 2002" is in the center, and "PATENT & TRADEMARK OFFICE" is at the bottom.

Group Art Unit: 1761

Examiner: Unassigned

RECEIVED
JAN 16 2002
TC 1700

Assistant Commissioner for Patents
Washington, D.C. 20231

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicant hereby submits the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited was submitted in Application No. 09/883,247 upon which is based a claim for priority under 35 U.S.C. §. U.S. Patent Nos. 6,117,470 and 6,326,044 were not submitted in the prior application and therefore have been enclosed.

U.S. Patent No. 4,931,302, Leshik et al., issued 06/05/90

U.S. Patent No. 5,137,738, Wynn, issued 08/11/92
U.S. Patent No. 5,256,437, Degen et al., issued 10/26/93
U.S. Patent No. 5,338,553, Johnson et al., issued 08/16/94
U.S. Patent No. 5,356,651, Degen et al., issued 10/18/94
U.S. Patent No. 5,401,523, Degen et al., issued 03/28/95
U.S. Patent No. 5,576,040, Moller et al., issued 11/19/96
U.S. Patent No. 5,679,780, Jensen et al., issued 10/21/97
U.S. Patent No. 5,683,733, Krabsen et al., issued 11/04/97
U.S. Patent No. 5,935,632, Larsen, issued 08/10/99
U.S. Patent No. 6,117,470, Lindquist, issued 09/12/00
U.S. Patent No. 6,326,044, Lindquist, issued 12/04/01
PCT Publication No. WO86/01687, issued 03/27/86
PCT Publication No. WO87/05469, issued 09/24/87
PCT Publication No. WO94/26121, issued 11/24/94
PCT Publication No. WO96/08155, issued 03/21/96
PCT Publication No. WO96/36238, issued 11/21/96
PCT Publication No. WO97/49295, issued 12/31/97
PCT Publication No. WO98/02047, issued 01/22/98
PCT Publication No. WO98/41102, issued 09/24/98
PCT Publication No. WO 98/57549, issued 12/23/98
Great Britain Patent No. 2209919A, issued 05/01/89

"8. Alternative Methods: Legal and Control Aspects" H. Glaeser, European Commission, Heat Treatments & Alternative Methods, Proceedings of the IDF Symposium held in Vienna (Austria) 6-8 September 1995, pp. 438-447.


"Filter Out Bacteria", Dairy, Dairy Foods® March 1996, p.55

"Psychotrophs in Dairy Products: Their Effects and Their Control" Claude P. Champagne et al., Critical Reviews in Food Science and Nutrition, Vol. 34, Issue 1, 1994, pp. 1-30

"Dairy Technology", Food Science and Technology, Research Report 1988-89, pps. 96-105

The documents are being submitted within 3 months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later, therefore no fee or certification is required under 37 C.F.R. § 1.97(b).

The Examiner's attention is directed to copending application number 09/883,247 naming Anders Lindquist as inventor(s) and filed on June 19, 2001, and the documents cited therein, a copy of which is enclosed.

 In accordance with MPEP § 609(c)(2) (February 2000, page 600-107), the Office is requested to return a copy of this Information Disclosure Statement with the Examiner's initials adjacent to this paragraph indicating that this copending application has been considered. By citation to the copending application, confidentiality is not waived and the Office is requested to maintain the confidentiality of the copending application under 35 U.S.C. § 122.

Copies of the listed documents were previously submitted in prior application Serial No. 09/883,247, filed June 19, 2001, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. In accordance with 37 C.F.R. § 1.98(d), copies of the listed documents are not included.

Also, Applicant hereby informs the Examiner of the Applicant's patent and pending applications which describe and claim various systems for extending the shelf life of milk: U.S. Patent No. 6,117,470, issued 9/12/2000, WO 98/57549, published 12/23/1998 and U.S. Patent No. 6,326,044 issued 12/4/01.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Robert S. Swecker

Registration No. 19,885

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: January 14, 2002